

**EXHIBIT A**

**Proposed Scheduling Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	
BRIO SYSTEMS, INC.,	)	Chapter 7
	)	
Debtor.	)	Case No. 23-10670 (JKS)
	)	
ALFRED T. GIULIANO, solely in his capacity	)	
as Chapter 7 Trustee of BRIO SYSTEMS, INC.,	)	
	)	
Plaintiff,	)	
	)	Adv. Pro. No. 25–50952 (JKS)
v.	)	
	)	
AMAZON WEB SERVICES,	)	
	)	
Defendant.	)	
	)	

**SCHEDULING ORDER FOR ADVERSARY PROCEEDING**

To promote the efficient and expeditious disposition of the above-captioned adversary proceeding (the “Adversary Proceeding”), the following schedule shall apply:

**MANDATORY MEDIATION**

1. Pursuant to the *General Order Regarding Procedures in Adversary Proceedings* (Walrath, B.J.) entered on April 7, 2004 (as later revised on July 14, 2004 and amended on April 11, 2005) (the “General Order”), no later than one hundred twenty (120) days after the answer or other responsive pleading to the complaint is filed, the Parties shall file a Stipulation Regarding Appointment of a Mediator or a statement that the Parties cannot agree on a mediator and a request that the Court select and appoint a mediator to this Adversary Proceeding.

2. Within sixty (60) days after entry of an Order Assigning the Adversary Proceeding to Mediation, the mediator shall either (a) file a mediator’s certificate of completion, or, (b) if the

mediation is not concluded, file a status report that provides the projected schedule for completion of the mediation.

3. Within 14 calendar days after the conclusion of the mediation, the Mediator shall file a report (the “Mediator’s Report”) stating only whether this Adversary Proceeding settled or did not settle.

## **DISCOVERY**

### **A. Initial Disclosures**

4. Should mediation fail to resolve this Adversary Proceeding, the Parties shall exchange all initial disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure (the “Federal Rules”), as incorporated herein by Rule 7026 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) within 60 days after the Mediator’s Report is filed. Disclosures and reports of the Parties’ rebuttal experts shall be made to the adverse party within 115 days after the Mediator’s Report is filed.

### **B. Fact & Expert Discovery**

5. All fact and expert discovery, including fact and expert witness depositions, shall be concluded within 120 days after the Mediator’s Report is filed.

6. All dispositive motions shall be filed and served by January 1, 2026. The Local Rules governing dispositive motions in adversary proceedings, including Local Rules 7007-1 – 7007-4, shall apply.

7. The Adversary Proceeding will be set for trial ninety (90) days after entry of the Order Assigning Adversary Proceeding to Mediation, or as soon thereafter as the court's calendar permits pursuant to the General Order.

8. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of this Adversary Proceeding and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible.

9. Deadlines contained in this Scheduling Order may be extended only by the Court and only upon written motion for good cause shown.